

**ARIZONA SUPREME COURT  
COMMISSION ON MINORITIES IN THE JUDICIARY (COM)  
MINUTES**

**Thursday, October 11, 2012**

2:00 p.m. – 4:00 p.m.

Arizona State Courts Building – Rooms 119 A/B  
Phoenix, Arizona

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**Present:** Judge Roxanne Song Ong, Chair, Mike Baumstark, Paul Bennett, Frankie Jones, Roxana Matiella, Judge Maurice Portley, Kendall Rhyne, John Vivian.

**Telephonically:** Diandra Benally, Niccole King, Bob Kirk.

**Absent/Excused:** Judge Maria Avilez, Patricia Ferguson-Bohnee, Judge Mitchell Kalauli, Judge Leslie Miller, Judge Dan Slayton, Judge Alma Vidosola, Judge Penny Willrich, Marian Zapata-Rossa.

**Presenters/Guests:** Charles Flanagan (AZ Department of Corrections), Jeff Schrade (Education Services Division, AOC), Gabe Goltz (Education Services Division, AOC).

**Staff:** Theresa Barrett (Court Services Division, AOC), Kym Lopez (Court Services Division, AOC).

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**REGULAR BUSINESS**

**1. Welcome and Opening Remarks:**

With a quorum present, the October 11, 2012 meeting of the Commission on Minorities (COM) was called to order by Judge Roxanne Song Ong, Chair. Member and staff introductions were made around the room and on the phone.

Judge Song Ong welcomed all new members and introduced Theresa Barrett. Theresa will serve as temporary staff support to the Commission during Susan Pickard's reassignment to the eFiling project.

Judge Song Ong then formally thanked previous Vice Chair Jesus Diaz for his hard work and dedication to the commission and thanked Ms. Pickard for her excellent staff support. Judge Song Ong noted that Susan was instrumental in providing her with a smooth transition into her leadership role on the Commission.

Judge Song Ong requested that all members review their contact information and update it as necessary.

**2. Approval of Minutes:**

The draft minutes of the April 19, 2012 meeting were presented for approval.

**MOTION:** Paul Bennett motioned to approve the April 19, 2012 meeting minutes as presented.

**SECOND:** Mike Baumstark.

**VOTE:** Motion passed unanimously.

## BUSINESS ITEMS/POTENTIAL ACTION ITEMS

### 3. New Member Orientation

Judge Song Ong reviewed information included in the new member packets including: the code section establishing the charge of the COM, the membership list, COM accomplishments, committees & commission charts, acronyms, and previous meeting minutes.

### 4. Project Groups and Liaisons

Judge Song Ong reviewed the work of the current COM standing workgroups. As it was noted that several of the Workgroups were without leadership it was suggested that perhaps it was time to revisit how to best fulfill the charge of the Commission. To this end, Judge Song Ong facilitated a discussion of moving away from the current structure and disbanding the standing workgroups and towards the direction of establishing workgroups on an “as needed” basis. To provide a reference point, Judge Song Ong compared the structure to one similar to COJET in which the COM chair and members would identify a liaison who would be responsible for monitoring new or ongoing projects under the COM and would seek out volunteers for tasks/projects as identified. Ongoing COM projects requiring a liaison included:

- A. **Diversity Website:** This project was created under the auspices of the Diversity Workgroup. The liaison would work with the Chair to send an official notice out to the court community about the website and serve as the “point of contact” to bring back ideas for updates to the site for COM’s consideration.
- B. **Chris Nakamura Judicial Appointment Workshop:** Historically this ongoing project has fallen under the Diversity Workgroup. The liaison selected for this project would work with staff and other COM volunteers to continue the collaborative presentation of the Chris Nakamura Judicial Appointment Workshop at appropriate venues and to refine and update materials as needed. Ideas discussed included exploring the following:
  - ☐ Offering a workshop in collaboration with the Phoenix School of Law
  - ☐ Offering a workshop in collaboration with ASU
  - ☐ Offering a workshop at the upcoming Minority Bar Convention
  - ☐ Reviewing workshop materials for possible updates and additions
- C. **Report Card:** The liaison to this project would work with David Redpath, Juvenile Justice Services Division, to develop and produce the next disproportionate minority contact (DMC) report card. Additionally, this liaison may assist with presenting the findings to interested stakeholders when the report card is finalized. As appropriate the liaison may also assist David in providing county’s with technical assistance.
- D. **Over Representation:** The liaison selected to replace this workgroup would be responsible for reporting to the Commission on the work of the Governor Office’s DMC Committee. This would include identifying opportunities for future collaborations.
- E. **Collaboration with Education Services Division:** No liaison needed at this time. However, when a new training project is identified the Commission will need to establish a point of contact to work with Education Services Division staff.

Ultimately, under the proposed committee structure Judge Song Ong envisioned when new projects are brought forward or the continuation of ongoing projects is supported by COM, like a flock of geese, those members who have a great deal of knowledge on a particular subject will take the lead with other members falling into formation to support them. Using this approach, everyone is involved rather than dividing people into specified workgroups.

Discussion ensued. Commission members supported Judge Song Ong's vision and Paul Bennett and Roxana Matiella volunteered to be the liaisons for the Report Card on disproportionate minority contact.

#### **5. 2013 Meeting Schedule**

Members reviewed the proposed 2013 meeting schedule. It was determined that there were many conflicts with these dates so additional research will be conducted by committee staff to secure new meeting dates for the member's consideration.

#### **6. Language Access Update**

This agenda item was tabled until the January 2013 meeting.

#### **7. Arizona Department of Juvenile Corrections Update**

Charles Flanagan, Director of the Arizona Department of Juvenile Corrections (ADJC) gave an update on the department. Highlights included:

- The population continues to decline. Only 1.8% of all children referred through the court are seen by ADJC.
- The average age of the population is over age 16 and is creeping upwards.
- The average length of stay is just over 6.7 months.
- Last year produced 20 high school graduates and numerous GED's. The number of school days was increased and the amount of credit given for classes was increased.
- Mandatory enrollment requires that 100% of children be enrolled in school upon leaving ADJC.
- For the first time in 20 years, all youth correctional officers and master level psychologists positions have been filled.
- All programming is now evidence based and children must demonstrate competencies to succeed.
- Sport team leagues with charter schools have been created.

The Chair thanked Mr. Flanagan for his update.

#### **8. Judicial Staff Education Committee (JSEC) and Next Steps for Statewide Cultural Competency/Diversity Training**

As a follow-up to the successful cultural competency broadcast held in February 2011, Gabe Goltz, Judicial Education Manager, Education Services Division, discussed future collaboration ideas with COM. Mr. Goltz also presented information on the Judicial Staff Education Committee (JSEC) and a handout on the JSEC

mission was provided to members. Discussion ensued. Suggestions for future collaborations included:

- Develop training modules or educational presentations that showcase those jurisdictions that have been successful in reducing DMC as a way of enlightening other jurisdictions on best practices.
- Expand the availability of culturally appropriate educational resources for self represented litigants to assist them in navigating their cases through the system.
- Explore the development of a AOC broadcast or webinar on the topic of implicit bias.
- Create a series of computer based training on “hot topics” in the areas of cultural competency and diversity.

## **OTHER BUSINESS**

### **9. Next Meeting**

To be determined.

### **10. Good of the Order/Call to the Public**

The Chair made a call to the public; there was none.

## **ADJOURN**

A motion was made to adjourn the meeting at 4:03 p.m.

## **ACTION ITEMS**

- Ms. Lopez will send a link to members for the COM brochure.
- Ms. Lopez will provide new member packet information to all members.
- Ms. Barrett will send a link to the cultural competency broadcast to all members.
- Ms. Barrett will send a link to the COM diversity webpage to all members.
- Ms. Barrett and Ms. Lopez will explore additional 2013 meeting dates and send options to members to determine the best dates for everyone.
- Ms. Barrett will conduct follow-up with Lisa Loo, Chair of the State Bar Diversity Taskforce, to explore possible collaborations that would make the best use of limited resources.
- Ms. Lopez will send Gabe Goltz’s JSEC handout to members who participated telephonically.
- Members will review their contact information and provide staff with updates if needed.